

## **REMARKS**

### **Claim Rejections**

Claims 1-4, 6-7, 12, 14-16, and 18-25 stand rejected under 35 U.S.C. 103(a) as unpatentable over the combination of U.S. Patent No. 5,470,079 (LeStrange); U.S. Patent Publication No. 2002/0183105A1, now issued as U.S. Patent No. 6,652,378 (Cannon); and U.S. Patent Publication No. US2002/0152120A1 (Howington). Claims 5, 8, 26-27 and 29 stand rejected under 35 U.S.C. 103(a) as unpatentable over the combination of LeStrange et al., Cannon, Howington, and U.S. Patent Publication No. US2003/0069071A1 (Britt). Claim 30 stands rejected under 35 U.S.C. 103(a) as unpatentable over the combination of LeStrange et al.; Cannon; Howington, U.S. Patent No. 5,759,103 (Freels); and U.S. Patent Pub. No. 2002/0187834 (Rowe).

### **Claim Amendments**

The claims are amended to further patentably distinguish over the cited references. The claim amendments are supported in the application as filed, for example at page 2, lines 11-121 and page 15, line 17 through page 16, line 8.

### **The Cited References**

LeStrange discloses a game machine accounting and monitoring system which includes a game monitoring unit 16, a computer network interface 18 and a central or host computer system 20. (Col. 5, lines 6-9). The accounting system can support accounting of multiple games within a single gaming machine. (Col. 11, lines 59-62). As such, when a game change event 45 occurs, the game monitoring unit 16 transmits a game change message to the host computer 20. The meter data that accompanies that message represents the last meter values for the previous game. (Col. 12, lines 17-20).

Howington discloses a casino resort management system that provides a location identifier for each location within a casino, a placard identifier for each placard and a machine identifier for each gaming machine. (¶006). A placard indicates the machine brand, model and the denomination that a machine accepts (i.e., quarters or nickels). (¶004). As shown in FIG. 2, the placard identifier includes a placard number “042052” used to denote a machine code, for example, “04”, that indicates a quarter slot machine, and a machine number “2052” that identifies a single machine with this particular denomination. (¶0026). This system maintains and tracks machine and location history in a manner which allows for the changing of machine

placards without losing historical machine or location information. (§0028). The system includes a sample system display 400 which displays, among other things, the location identifier, the placard identifier and the denomination for a particular machine. (§0029). The individual machines are not configured to operate with multiple denominations or games of different types. (FIGS 2 and 4, ¶004, ¶0026, and ¶0029).

Cannon discloses gaming machines and systems offering simultaneous play of multiple games and methods of gaming. A gaming machine is disclosed which is configured for mutually concurrent play of a plurality of games of chance on a single display screen. (Abstract).

Freels discloses an apparatus for collecting and processing payout vouchers from video slot machines. (Col. 2, lines 47-50).

Rowe discloses a system for monitoring game play. A host stores and transmits game play data. (Abstract).

Britt discloses an entertainment monitoring system 100 and method 200 for use in a gaming environment. The entertainment monitoring system includes a plurality of electronic gaming machines 102. (§0087).

#### **Applicants' Claimed Invention Would Not Have Been Obvious**

The following factual inquiries must be considered in any obviousness evaluation: the scope and content of the prior art, the differences between the claimed invention and the prior art, the level of ordinary skill in the pertinent art and evidence of any secondary considerations. To establish a *prima facie* case of obviousness, it is axiomatic that the prior art, either alone or in combination, must disclose each and every element of the claimed invention. As stated in the M.P.E.P., “[t]o reject a claim. . . Office personnel must articulate the following: (1) a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference.” M.P.E.P. §2143A.

Moreover, “[t]he rationale to support a conclusion that the claim would have been obvious is that all claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination yielded nothing more than predictable results to one of ordinary skill in the art.” *Id.* Also, some articulated reasoning with rational underpinnings must be provided to support a *prima facie* case of obviousness.

Claim 1, for example, calls for a receiver configured to collect first and second meter information from a unique combination of a game, a program, and a denomination. Claim 1 has

been amended to recite a calculator structured to generate additional information “including at least a first comparison of financial performance of different wager denominations for a given game at the game unit, and a second comparison of financial performance of different games within a given game type at the game unit.” Claim 1 has also been amended to clarify that “each of the game, the program, and the denomination is separately player-selectable.” The cited references, considered alone or in combination, fail to disclose or suggest any such features.

Cannon is cited in the Office Action as disclosing player-selectable pay tables. (Page 11, lines 4-8). The Office Action states: “Cannon recites multiple selectable games, each game having probabilities and payoffs that correspond to it.” (Page 2, lines 11-12). Thus, selection of a particular game in the system of Cannon also results in selection of a pay table. Therefore, Cannon fails to disclose or suggest programs and pay schedules that are separately selectable, as recited in claim 1 as amended. This deficiency is not cured by any of the other cited references, considered alone or in combination.

Howington is cited in the Office Action as disclosing a combination that includes a denomination. (Page 3, line 20 through page 4, line 2). However, the casino resort management system of Howington is operable with gaming machines that play only a single game and accept only a single denomination. The denomination, for example, may be a quarter or a nickel. (¶0004). As clearly shown in subwindow 402 of FIG. 4, in the column labeled “Denom”, each gaming machine accepts but one denomination, that is, nickels, quarters or dollars. A single machine does not accept nickels, quarters and dollars. Rather, it accepts only one of these denominations. (¶¶0004, 0026 and 0029; FIGS. 2 and 4).

The system of Howington does not deal with MGMD machines. The system is configured to provide a location identifier for each location within a casino, a placard identifier for each placard and a machine identifier for each gaming machine. (¶0006). The Howington system is designed to eliminate the problems associated with using placards that are moved from one gaming machine to another or with gaming machines that are moved from one location to another. (¶¶0004, 0005). The system tracks a machine and location history in a manner which allows for the changing of machine placards without losing historical machine or location information. (¶0028).

As is apparent in FIG. 4 of Howington, the tracking system does not provide any indication of different pay schedules, games, or programs available at a single gaming machine at any given time. Instead, each machine is identified by a machine identifier, which allows a user to identify game type and denomination. (¶0030). Since the gaming machines in Howington do not have different denominations, Howington fails to disclose or suggest a

receiver configured to collect from a single game unit first and second unique combinations that each include a player-selectable denomination, as recited in claim 1. This deficiency is not cured by any of the other cited references, alone or in combination.

Accordingly, the cited references fail to disclose or suggest “a calculator structured to generate additional information from the collected information for the unique combinations in the single game unit, including at least: a first comparison of financial performance of different wager denominations for a given game at the game unit, and a second comparison of financial performance of different games within a given game type at the game unit,” and “a receiver configured to collect from a single game unit” first and second meter information from first and second unique combinations of “a game, a program and a denomination,” “wherein each of the game, the program, and the denomination is separately player-selectable.”

Since claim 1 recites features not disclosed or suggested in any of the cited references, considered alone or in combination, claim 1 would not have been obvious in view of the cited references. Independent claims 16 and 29 recite features similar to those recited in claim 1. Therefore, claims 16 and 29 would not have been obvious for at least the same reasons as claim 1. The dependent claims include, by virtue of their dependency, the features of the independent claims on which they are based. Thus, the dependent claims would not have been obvious for at least the same reasons as their respective independent claims.

Therefore, it is respectfully requested that the rejection of claims 1-8, 12, 14-16, 18-27, 29, and 30 under 35 U.S.C. § 103(a) be withdrawn.

### **Conclusion**

In view of the foregoing, it is respectfully submitted that all the claims are now in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call Applicants’ undersigned attorney at (510) 663-1100.

If any fees are due in connection with the filing of this amendment (including any fees due for an extension of time), such fees may be charged to Deposit Account No. 504480 (Order No. IGT1P312).

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Respectfully submitted,  
Weaver Austin Villeneuve & Sampson LLP

/William J. Egan, III/

William J. Egan, III  
Reg. No. 28,411

P.O. Box 70250  
Oakland, CA 94612-0250